

DNR Public Notice for Registration Construction Permit Number RCP-A01 to Regulate Facilities that are Minor Sources of Air Emissions Located throughout the State of Wisconsin.

Facility Description

Facilities that are minor sources of air pollution are eligible for a Registration Construction Permit if, after the proposed construction project, the facility remains a minor source of air pollution. Registration Construction Permit RCP-A01 will only be available to facilities with existing construction permits that are applying for coverage under a Type A Registration Operation Permit (ROP-A01). Coverage under this Registration Construction Permit will be granted to those facilities whose past construction permits may be revoked, as determined by DNR, because their terms and conditions are either supported by the ROP-A01 or elsewhere by rule or law. The terms and conditions in Registration Construction Permit RCP-A01 are essentially identical to those in Registration Operation Permit ROP-A01. This process of revoking the past construction permits and replacing them with the Type A RCP-A01 eliminate the potential for conflicting permit terms and conditions under the Type A ROP.

To be eligible for Registration Construction Permit RCP-A01, the facility must meet the eligibility criteria for Registration Operation Permit ROP-A01, which includes the following: the facility must have actual annual air pollution emissions less than 25% of the major source levels, the facility must meet pollution control device efficiency requirements; the facility is not subject to certain federal new source performance standards or specific federal hazardous air pollutant regulations; and, the facility is not subject to specified case-by-case determinations under state regulations. For additional information about Registration Operation Permits, please see the Fact Sheet on the DNR's Internet site at <http://www.dnr.state.wi.us/org/aw/air/apii/documents/regFactSheet.pdf>

Air Quality Impacts

Air quality modeling experience was used to determine the requirements necessary to protect ambient air quality standards. Facility emissions and stack characteristics that commonly lead to modeled air quality standard exceedances were identified. Based on this modeling experience, the draft Type A Registration Construction Permit requires a facility to meet specific stack requirements. If a facility's stacks do not meet those requirements, the owner must demonstrate through air dispersion modeling that air quality standards will be met. In order to be eligible for the Registration Construction Permit RCP-A01, two additional air quality reviews will be conducted. First, DNR will review each facility's revocation request to ensure that, after revocation of the individual permits and coverage under the Type A RCP and ROP, the facility can still meet the ambient air quality standards. This will be done by reviewing the facility's previous modeling analyses. Second, prior to granting coverage under the Type A RCP and ROP, DNR will perform a facility wide air quality assessment to ensure that the ambient air quality standards will be protected under the RCP and ROP.

DNR Permit Authority & Review

Under ss. 285.60(9), Wisconsin Statutes, and NR 406.18, Wis. Adm. Code, a person may petition DNR to issue a registration construction permit to a category of stationary sources. On October 20, 2005, the Department of Commerce petitioned DNR to issue a registration construction permit to replace pre-existing construction permits in instances where coverage under a registration operation permit is to be granted. On November 25, 2005, DNR responded by stating that it would develop a registration construction permit as requested in the petition.

Under ss. 285.60(2g), Wisconsin Statutes, and NR 406.17, Wisconsin Administrative Code, DNR may specify types of sources by rule that may be issued a Registration Construction Permit. Individual facilities that apply for this permit and meet the permit eligibility criteria will then be issued coverage under the Registration Construction Permit. DNR has preliminarily determined that facilities that meet the permit eligibility criteria will meet applicable emission limitations and air quality standards, and that they may be covered under the Registration Construction Permit. This preliminary determination does not constitute final approval from the Air Management Program or any other DNR programs, which may also require a review of the project. Air Management did not prepare an environmental assessment for this proposal since state regulations did not require one.

Public Comments

DNR will now accept written comments from the public regarding its Preliminary Determination and Draft Registration Construction Permit. These comments and any comments made at the public hearing will be considered before a final permit decision on this Registration Construction Permit is made.

Information including the DNR's Preliminary Determination and a Draft Permit is available for public inspection at the Department of Natural Resources by contacting Kristin Hart at 608-273-5605. The Department's preliminary analysis and draft permit are also available for review at the following Wisconsin DNR offices: DNR Bureau of Air Management Headquarters, Seventh Floor, 101 South Webster, Madison; North East Region Air Program, 2984 Shawano Avenue, Green Bay; DNR Oshkosh Service Center, 625 E. County Road Y - STE 700, Oshkosh; Northern Region Air Program, 107 Sutliff Avenue, Rhinelander; DNR Superior Service Center, 1401 Tower Avenue, Superior; DNR Hayward Service Center, 10220 Highway 27 South, Hayward; DNR Cumberland Service Center, 1341 Second Avenue, Cumberland; South East Region Air Program, 2300 North Dr. Martin Luther King Jr. Dr., Milwaukee; DNR Waukesha Service Center, 141 NW Barstow St., Room 180, Waukesha; DNR Plymouth Service Center, 1155 Pilgrim Road, Plymouth; DNR Sturtevant Service Center, 9531 Rayne Road Suite 4, Sturtevant; South Central Region Air Program, 3911 Fish Hatchery Road, Madison; DNR Janesville Service Center, 2514 Morse Street, Janesville; DNR Dodgeville Service Center, 1500 N. Johns, Dodgeville; DNR Horicon Service Center, N7725 Highway 28, Horicon; West Central Region Air Program, 1300 W. Clairemont, Eau Claire; DNR Baldwin Service Center, 890 Spruce Street, Baldwin; DNR Wisconsin Rapids Service Center, 473 Griffith Avenue, Wisconsin Rapids; DNR LaCrosse Service Center, 3550 Mormon Coulee Road, Room 104, LaCrosse; DNR Wausau Service Center, 5301 Rib Mountain Drive, Wausau. The DNR's Preliminary Determination and Draft Permit is available for downloading from the Internet using a World Wide Web browser at: http://www.dnr.state.wi.us/org/aw/air/permits/APM_toc.htm.

Send Comments to:

Kristin Hart
Department of Natural Resources
3911 Fish Hatchery Road
Madison, WI 53711

By _____ June 26, 2006 _____ or within 30 days of publication of this public notice, whichever is later.

NOTICE IS HEREBY GIVEN that, pursuant to ss. 285.13(1), 285.60(2g) and 285.61(7), Wis. Stats., DNR will hold a public hearing to receive public comments on the Preliminary Determination and Draft Registration Construction Permit. The public hearing will be held:

Wednesday, June 21, 2006 at 10 am
GEF 2 Building- 101 S. Webster St.-Room 511
Madison, Wisconsin

At the hearing you will have an opportunity to submit written comments, make verbal comments, ask questions, and discuss any air pollution concerns regarding the Registration Construction Permit with DNR staff.

Reasonable requests for the information in an alternate format will be provided to qualified individuals with disabilities.

State of Wisconsin
Department of Natural Resources
For the Secretary

By _____ /s/_____
Jeffrey C. Hanson
Chief, Permits and Stationary Source Modeling Section